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May 31, 2019

BY ECF ONLY

Hon. Alison J. Nathan
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: Luyando v. Pay-O-Matic Check Cashing Corp. et al | 18-cv-11114-AJN

Dear Judge Nathan:

The parties write jointly to update Your Honor as directed by Your Honor's May 21, 2019, Memo Endorsement on re: [31] Status Report. On May 24, 2019, Hon. Frederic Block ("Hon. Block") granted Plaintiff and Proposed Intervenor Ms. Carmen Luyando's ("Ms. Luyando") Motion to Intervene. *See Buchanan v. Pay-O-Matic Check Cashing Corp., et al., 2:18-cv-00885-FB-SMG, ECF Doeckt Text.* Hon. Block entered the following Docket Text Minute Order:

Minute Order for proceedings held before Judge Frederic Block: Talmor Alamgir, Esq. for the plaintiff; Mirian Schindel, Esq. and Jonathan Kozak, Esq. for the defendant Pay-o-Matic and Benjamin Weisenberg, Esq. for the intervenor Luyando, all present. Pre-motion conference held on 5/24/2019. Intervenors anticipated motion to intervene; and to disqualify plaintiffs counsel and plaintiffs anticipated motion to stay collective action were all discussed. The motion [69] to disqualify is DENIED without prejudice and the motion [64] to intervene is GRANTED. As to the FLSA claim the stay is lifted and by June 21st counsel will file a joint proposed class notice, with any areas of disagreement highlighted, for the courts review. The Lee Litigation Group will represent one sub-class (plaintiffs with manager titles) and The Ottinger Firm will represent another sub-class (customer services representatives). (Court Reporter: Not Reported) (Innelli, Michael)

Id. The parties jointly request Your Honor designate this *Luyando* Action as a "Related Case," to the *Buchanan* Action as defined by the Rules for the Division of Business Among District Judge, Southern District, Local Rule 13(a). The parties further jointly request Your Honor forward this *Luyando* Action to Hon. Block pursuant to Local Rule 13(B)(2).

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Thank you for your time and consideration in regard to the above.

Respectfully submitted on behalf of the parties,

THE OTTINGER FIRM, P.C.



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cc: By ECF to all counselors of record.